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18 IN THE UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 SAN JOSE DIVISION

21 PHASE FORWARD INCORPORATED,

22 Plaintiff,

23 v.

24 MARY NOEL ADAMS,

25 Defendant.

CASE NO. C 05-4232 JF

**STIPULATION AND
 [PROPOSED] ORDER TO
 CONTINUE DEFENDANT
 MARY NOEL ADAMS'
 MOTION FOR SUMMARY
 JUDGMENT**

Date: February 9, 2007

Time: 9:00 a.m.

Dept: Courtroom 3, 5th Floor

26 Plaintiff Phase Forward Incorporated and defendant Mary Noel Adams (hereinafter,
 27 the "Parties"), by and through their respective counsel, hereby stipulate and jointly request
 28 that the Court continue the hearing on Defendant's Motion for Summary Judgment,
 presently scheduled for February 9, 2007, 9:00 a.m. to **April 6, 2007** at 9:00 a.m. This
 Court has already reserved April 6th for hearing on this matter at the Parties' request.

The Parties jointly request that this Court approve the stipulation on the grounds
 that counsel to both Parties are unavailable on February 9th, which unavailability was not

1 known when this matter was initially set for hearing.

2
3 DATED: _____

PHILLIPS, ERLEWINE & GIVEN LLP

4
5 By: _____
6 Spencer C. Martinez
Attorney for Plaintiff

7 DATED: February 5, 2007

8
9 
Laura A. Thompson, Esq.
Attorney for Defendant

10
11 **ORDER**

12 Good cause appearing, IT IS SO ORDERED.

13
14
15 DATED: 2/8, 2007

16 
17 HON. JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

1 known when this matter was initially set for hearing.

2
3 DATED: 2/06/07

PHILLIPS, ERLEWINE & GIVEN LLP

4
5 By: 

Spencer C. Martinez
Attorney for Plaintiff

6 DATED: _____

7
8 _____
Laura A. Thompson, Esq.
Attorney for Defendant

9
10
11 ORDER

12 Good cause appearing, IT IS SO ORDERED.

13
14
15
16 DATED: _____, 2007

HON. JEREMY FOGEL
UNITED STATES DISTRICT JUDGE